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COMMENTARY: The GOP

REAGAN VERSUS FORD: NO CONVENTION CONTEST

by Dick Behn

If the 1976 Republican National Convention were held today, President Gerald Ford would crush Ronald Reagan for the presidential nomination. A Ripon Society survey of Republican officials and FORUM correspondents showed Ford defeating Reagan by a margin of 1,429-811. The survey was based on the current GOP delegate allocation formula, which is now under challenge by the Ripon Society in the federal courts. (For purposes of the survey, the District of Columbia, Guam, Puerto Rico and the Virgin Islands were excluded. They are represented by 30 delegates.)

Every attempt was made in the survey to give former Gov. Reagan the benefit of the doubt in apportioning delegates. The winner-take-all primaries in California and Indiana were awarded to Reagan, for example, despite the likelihood of hard primaries in both states. Marginal delegates in almost every state were awarded to Reagan. Also, for purposes of the survey, the influence of other possible candidates such as Sen. Howard Baker, former Treasury Secretary John Connally or Sen. Charles Percy was excluded. Despite the deliberate "generosity," Reagan won less than 38% of the delegates.

Still, the former California governor suffered from several handicaps in the survey. First, there is a pervasive feeling among Republican officials throughout the country that Reagan may not or will not run. As a result, some Republicans are reluctant to commit themselves to a "maybe" candidate. Second, the "sentimental" support that Reagan evokes in many areas does not translate into delegate votes. In some cases, Reagan support, although strong, would not be convertible into delegates because of the method of selection. In other cases, conservative Republicans may like what Reagan says---in the one speech he uses over and over again---but these Republicans are presidentially loyal and politically pragmatic. They support Ford because he is the President. More importantly perhaps, they now support Ford or lean toward supporting him because they have finally come to believe that he can act like a President. "He's now his own man," and "He's going to get stronger with time" were typical comments from Republican national committeemen.

Reagan's candidacy was rudely bombed by the Mayaguez incident, which is repeatedly mentioned by GOP officials as one key to the President's new strength. "Incredible" and "tremendous" are words repeatedly used to describe the President's recent surge in public and GOP esteem. But Mayaguez is quickly linked by these Republicans to the sustained presidential vetoes, new optimism for the economy, the impotence and immaturity of Congress, the President's energy program, and Ford's European trip as the basis for the sudden profusion of presidential popularity.

Admittedly, Ford's strength in the survey may be "soft." The results obviously reflect a new peak in GOP admiration for Ford's job performance. However, a pre-Mayaguez poll taken by Kentucky Republicans showed the President had a surprisingly good job approval rating---about 82% among Republicans. Ford's strength also reflects a sudden turnaround in the "solid (for Reagan) South," where several months ago, it had been suggested Ford might not have a single delegate vote. "There's more support for Ford in the South than people think," said one southern GOP official. "Ford is really picking up a lot of strength in this region," echoed another. Georgia, for instance, was once Reagan country. But President Ford's trip to Georgia and meeting with GOP executive committee members, the election of a new Georgia GOP chairman, and the appointment of Georgian Howard "Bo" Callaway to head the Ford nomination drive dramatically shifted Reagan from top dog to underdog.

The net effect of Ford's strength is to shift attention to the vice presidential nomination. Numerous southern GOP officials made biting references to Nelson Rockefeller's unpopularity. In other states, officials made equally blunt assessments of the degree of support a "Dump Rocky" movement would have among their delegations. Rockefeller does have his supporters, particularly in the large northern industrial states and in such diverse localities as Kansas and New Mexico, but much of the GOP bitterness about the Ford Administration is apparently directed at the Vice President. Conservatives who may be frustrated in their attempt to hunt bear in '76 are apparently deter-

mined to shoot squirrel. One moderate state chairman summed up the feeling he was getting in GOP circles: "It's in Ford's best interest not to 'dump Rocky,' himself, but to let the convention dump him. If Reagan wanted the nomination, it would be very hard to stop him." One conservative national committeeman was less sanguine about the prospects for a "dump Rocky" move; it was unrealistic, he argued, to expect GOP delegates to buck the President about Rockefeller. Even Rockefeller critics in some states will evidently be disposed to back the Vice President if Ford makes clear (as he has) that Rockefeller is his man. In that case, party respect for the presidential office will likely prevail. In a "sink or swim" situation, Rockefeller could well drown. If he gets a Ford life jacket, he'll reach the vice presidential shore.

The allocation of convention delegates at this time involves a good deal of conjecture. However, the overwhelming weight of the evidence compiled by the FORUM is that Reagan could not get the nomination at this time. It remains to be seen if an active Reagan candidacy could trigger massive shifts in GOP preferences. Reagan's indecision is hurting him, but Ford's decisiveness hurts Reagan even more. So long as Ford continues to be a "strong" President, all the actions of Sen. Jesse Helms' Committee on Conservative Alternatives, Sen. James Buckley's St. Michael's Group, and Howard Phillips' "Freedom of Choice" coalition will be in vain. The GOP is buying Ford.

Ford Reagan State: Comments

Ford	Reagan	State: Comments
18	19	<u>ALABAMA:</u> "At one time, Reagan was extremely strong,...but Ford is gaining strength," says one GOP official who predicted a split delegation.
16	3	<u>ALASKA:</u> National Committeeman Eldon Ulmer might lean toward Reagan, but the overwhelming majority of the convention-selected delegates are expected to favor Ford in the interests of state GOP unity.
13	16	<u>ARIZONA:</u> This state's politics are difficult to fathom or project. House Minority Leader John Rhodes may be in Ford's corner, but despite assiduous White House courting, Sen. Barry Goldwater may be reminded of 1964 debts to Reagan and back the challenger. A still-possible GOP donnybrook for the Senate complicates a forecast. The best guess is for a split GOP delegation with the edge to Reagan.
13	14	<u>ARKANSAS:</u> Reagan has "rather strong support," but GF's popularity has grown. A proportional primary should aid GF and help him split the delegation.
0	167	<u>CALIFORNIA:</u> This is where RR lives between campaign tours, but one rightwing GOP group has already rejected RR as insufficiently conservative. Industrialist David Packard, State GOP Chairman Paul Haerle, and Atty. Gen. Evelle Younger have all defected to GF. The GOP organization's soul still belongs to RR, but it is questionable whether it can deliver in a primary setup which has yet to be finalized. Nevertheless, award it to RR for old times' sake. It's still winner-take-all for the GOP.
18	13	<u>COLORADO:</u> This state has a historic conservative-moderate split which may be healing a bit, but there is no strong elected official to lead the delegation. While convention-selected delegates cannot be bound, Ford is given the edge though RR is "very popular."
35	0	<u>CONNECTICUT:</u> Under the influence of the state's congressional delegation, the state is expected to be "completely in Ford's corner," and strongly supportive of Rocky as well. The GOP's "Goldwater wing" seems to have evaporated—or maybe merely gone into hiding.
17	0	<u>DELAWARE:</u> Strong organizational loyalties are expected to keep the state in line for Ford regardless of the ideological preferences of the delegates.
33	33	<u>FLORIDA:</u> "Ford's popularity has risen tremendously," and the selection of U.S.Rep. Lou Frey to head GF's Florida effort has also immeasurably boosted the President. What was once a Reagan runaway is now a tossup, but it's hard to analyze because of the congressional primary setup.
24	24	<u>GEORGIA:</u> Reagan addressed the state convention but didn't get an endorsement. GF spoke to the GOP state executive committee and then appointed a Georgian to lead his campaign organization. Such solicitude is expected to pay off.
13	6	<u>HAWAII:</u> The state's GOP leadership is expected to back Ford, but the rank and file have a conservative cast.
16	5	<u>IDAHO:</u> The state will partake in a quasi-regional primary, which was pushed by the Idaho College YRs. Party leaders are generally expected to back Ford, but U.S.Rep. Steve Symms could be leading RR forces. Ford and RR may split primary while Ford takes the convention delegates.
81	20	<u>ILLINOIS:</u> Assuming Sen. Charles Percy does not enter the race, the congressional delegation should be almost solidly in Ford's corner. U.S.Rep. Philip Crane and possibly U.S.Rep. Edward Derwinski are the only exceptions. Allotting RR delegates from portions of seven congressional districts as well as seven at-large delegates, GF still owns the state.
0	54	<u>INDIANA:</u> Convention-selected delegates will be bound by the results of state primary. Its all-or-nothing nature and the 1976 election stakes for Indiana GOP favor GF but the leadership remains uncommitted. It's not likely, but pretend RR rounds up gang.

Ford	Reagan	State: Comments
11	25	<u>IOWA</u> : GOP moderates should control the delegate selection process at the state convention, but RR rates well among the party's conservative minority.
27	7	<u>KANSAS</u> : "The farm veto is more popular than people think," says one GOP official in assessing GF's strength. RR has made no real movement in the state to capture the caucus-selection system.
27	10	<u>KENTUCKY</u> : "Kentucky has always liked RR an awful lot." Although RR may be the sentimental favorite of GOP leaders, organizational loyalty and the moderate-conservative leanings of the state GOP should fit Ford well. 1976 will be Kentucky's first experience with a primary; delegates will be bound on a proportional basis.
0	41	<u>LOUISIANA</u> : "There's a tremendous amount of sentiment for Reagan," says one GOP official who admits that Ford's stock is rising. A caucus-selection system should be swept by RR.
12	8	<u>MAINE</u> : National Committeeman Cyril Joly might be expected to back RR, but most of the state GOP leadership would be behind GF at the state convention. Delegation should have strong GF majority.
38	5	<u>MARYLAND</u> : Conservatives control state GOP organization, but delegates will be chosen in congressional district caucus system which will minimize Reagan strength except perhaps in U.S.Rep. Robert Baumann's 1st C.D. GOP leadership will be pragmatic; back Ford.
30	13	<u>MASSACHUSETTS</u> : RR might take several of the congressional district primaries; he has an avid following in the state's dissident conservative wing led by former GOP State Chairman William Barnstead. GOP conservatives have not fared well in recent state primaries, however.
84	0	<u>MICHIGAN</u> : Let's hear it for Jerry. Michigan GOP can be expected to rally around their favorite son in order to preserve their present unity. Ford should take convention and delegation.
40	2	<u>MINNESOTA</u> : Delegates will be chosen at district and state conventions. The state has its share of GOP conservatives, but presidential loyalty is expected to prevail.
0	30	<u>MISSISSIPPI</u> : This is RR country. It's hard to foresee Ford getting any delegates out of the state. Clarke Reed wouldn't allow it.
39	10	<u>MISSOURI</u> : RR might find pockets of support in district conventions such as the 7th C.D. but 20% is his maximum. GOP leaders at the state level are expected to be heavily pro-Ford, influencing the choice of delegates chosen at the state convention.
12	8	<u>MONTANA</u> : "I tend to think Ford would carry it pretty heavy," suggested one GOP official. There's an advisory primary, but the state convention can instruct the delegates it selects.
20	5	<u>NEBRASKA</u> : "Vast majority" of delegates elected by congressional districts will favor Ford. Despite the party's strong conservative bent, there have been no strong RR moves.
14	4	<u>NEVADA</u> : The state is conservative, but GOP leadership is expected to stay in Ford's line when delegates are selected at convention.
16	5	<u>NEW HAMPSHIRE</u> : Gov. Meldrim Thomson's third party dalliance has hurt his GOP credibility. In a primary showdown, neither Thomson nor RR is likely to beat Ford despite Thomson's organizational control.
56	11	<u>NEW JERSEY</u> : "I don't think there's any question" about New Jersey's support for GF-NR," says one top GOP official. New Jersey's convention delegation has a habit of splitting at the last minute, however, and RR might pick up some at-large delegates as well as a few elected in southern New Jersey congressional districts.
142	12	<u>NEW YORK</u> : Delegates are elected on a district basis and Reagan would need extraordinary luck to win four districts if Nelson Rockefeller stays on the ticket. A feud between Sen. James Buckley and the organization GOP can't help RR win friends, but it would hurt Ford's fall campaign. Solid for GF.
12	9	<u>NEW MEXICO</u> : Party loyalty and unity should be the keys to leadership support for Ford. The edge is GF's at this point in the state's proportional primary.
32	22	<u>NORTH CAROLINA</u> : GF's recent "nonpolitical" trip underlined surprising support for the President. Sen. Jesse Helms would be in RR's corner if he ran, but Gov. James Holshouser is officially uncommitted. The state's binding primary is now expected to favor Ford.
12	6	<u>NORTH DAKOTA</u> : Backed by the state's moderate leadership, GF should pick up the bulk of the delegates at the state convention. Ford's veto of the farm bill hurt a little here as it did in some other farm states.
85	12	<u>OHIO</u> : Ohio's GOP leadership has always been conservative but pragmatic. A favorite son candidacy by Gov. James Rhodes is always possible to hold the delegation together. Eventually, however, the leadership could be expected to get behind Ford, delivering the bulk of the state's delegates in spite of the state's primary.

Ford Reagan State: Comments

8	28	<u>OKLAHOMA</u> : The vice presidential nominee would be the key to Oklahoma's support for Ford. Delegates selected by the state convention could currently be expected to be primarily RR backers.
30	0	<u>OREGON</u> : There are no really influential conservatives in the party to lead an RR organization. As a result, with the backing of the state's moderate leadership, Ford should be able to sweep the district primaries.
97	6	<u>PENNSYLVANIA</u> : The Pennsylvania GOP State Committee went on record in September 1974 as endorsing the "Ford-Rockefeller" ticket. It is doubtful whether RR could carry more than one or two congressional districts in the state. The state elected and official leadership should be solid for Ford.
19	0	<u>RHODE ISLAND</u> : No problems for Ford here. The moderate leadership will dominate the delegate selection process.
11	25	<u>SOUTH CAROLINA</u> : Gov. James Edwards has endorsed RR and considerable sentiment exists for RR. GF's demonstration of guts has swung popular sentiment, however, and RR would be lucky to get 70% of the delegation
14	6	<u>SOUTH DAKOTA</u> : As long as it rains, the President is in good shape. There is a proportional primary system which would ensure a voice for the hard-core conservatives, but good crops mean good news for Ford.
32	11	<u>TENNESSEE</u> : Sen. Howard Baker might go to the convention as a favorite son, even if he's not a major candidate. In that case, a large majority of the delegation could be expected to turn eventually to Ford. Sen. Bill Brock may have summed the mood of the state accurately when he said recently that "I got myself a President this week." The primary is non-binding. Delegates are convention-selected.
45	55	<u>TEXAS</u> : The Vice President more than the President seems to be the bone of contention for Texas Republicans. Sen. John Tower's lean toward GF plus recent events may even have turned the tide for Ford. Texas conservatives may not be enthralled with the President, but he's acceptable. The state convention could produce a Ford majority, but the vice presidential nomination remains the critical joker.
16	4	<u>UTAH</u> : The state has always had a strong right-wing component, but GF is popular among the party leadership and should be strong in the state convention.
14	4	<u>VERMONT</u> : Ford is "coming on real strong" in Vermont and expected to pick up over 80% of the delegates chosen by the state convention. Reagan would have to do a massive field job to get more than 20% of the delegates.
35	16	<u>VIRGINIA</u> : Virginia's delegate selection process is so fluid that it is hard to estimate the votes of an unbound delegation selected by district and state conventions. Elected and official leaders may split widely, but even their positions are difficult to predict with certainty. At the very least, RR can be expected to pick up delegates among northern Virginia conservatives.
26	12	<u>WASHINGTON</u> : Washington's delegate-selection process is in limbo, but the moderate complexion of elected state Republicans should help elect an overwhelmingly GF slate. At the present time, delegates will be chosen in convention. The presence of former Washington National Committeewoman Gwen Anderson on GF's staff should be another plus.
20	8	<u>WEST VIRGINIA</u> : "President Ford may have the unanimous support of the delegation," according to one GOP leader. The primary in which delegates are chosen is non-binding so some delegates may exercise their conservative principles. Party tradition and loyalty will boost Ford.
45	0	<u>WISCONSIN</u> : The state has a winner-take-all district primary system with a binding rule. There's a hard core of RR support, but not hard enough in any given district to translate into RR delegates. Wisconsin's tradition of crossover primary voting might muddy the Republican-Democratic lines in 1976, but it's not expected to affect the outcome.
11	6	<u>WYOMING</u> : Not everyone in Wyoming may remember that the President's father lived here, but few can forget that former Gov. Stanley Hathaway(R) was appointed secretary of the interior by Ford. The odds on delegate leanings favor Ford among the unbound delegation to be selected by convention.

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DULY NOTED: STATES

Recent changes in state GOP chairpersons: COLORADO—Carl M. Williams, a Denver businessman and former state senator, has replaced more conservative Dwight A. Hamilton. CONNECTICUT: Frederick Biebel, a Stratford businessman, former GOP executive director, and longtime GOP finance activist, will become the new, paid chairman, replacing Vincent Laudone, who was part-time. GEORGIA: Mack A. Mattingly, a Brunswick businessman and former unsuccessful candidate for Congress in 1966, defeated the more conservative incumbent, Bob Shaw of Atlanta, at the Georgia GOP State Convention. HAWAII: Businessman George Henrickson replaced Carla Coray, who has been elected as the party's national committeewoman. MINNESOTA: Former state party headquarters official Chuck Slocum replaced the more conservative Robert J. Brown as state GOP chairman. WYOMING: Former State Sen. Tom Stroock, who ran unsuccessfully for Congress in 1974, replaced Jack Speight, who resigned to devote full time to his law practice. KENTUCKY: GOP State Chairman Charles Coy will resign in July.

● "Why Bosses Don't Want Thompson," by Michael Kilian. Chicago Tribune, June 7, 1975. "With Atty. Gen. William J. Scott officially out of the 1976 gubernatorial race, Illinois Republican leaders are likely to find themselves with a candidate most of them don't want—U.S. Atty. James R. Thompson. Their hostility toward him, which is as deep as it is widespread, flies in the face of two realities. He offers the disorganized and demoralized GOP its best possible chance of regaining the power, prestige, and immense political patronage of the governor's office—the key to any Republican comeback in the next few years." Thompson has an impressive crime-busting record, but it has included members of the Illinois Republican establishment. Some GOP leaders would prefer a candidate more closely identified with the Republican organization and more experience in elected politics.

● "Heinz Deftly Opens Throttle For Better Railroads And...?" by Roy McHugh. Pittsburgh Press, June 8, 1975. Pennsylvania Sen. Hugh Scott (R) repeatedly says he will seek reelection, but skeptics continue to believe that U.S. Rep. John Heinz III (R) will be the Republican nominee in 1976, not Scott. Says McHugh, "The doubters point out that as Senate minority leader it would never do for Scott to admit he's a lame duck. John Heinz respects, his political godfather. At the age of 25, he worked in Scott's office on Capitol Hill. You ask John Heinz if he would even consider running against Scott in the primary next year and he answers: 'I am not making any comment on 1976. I have said it is possible I would run for statewide office at some future time. I am not running for anything in 1975, and I'll have to wait and see about 1976 when it comes.'" McHugh notes that Pennsylvania Democrats who believe they can defeat Scott are not so optimistic about facing Heinz.

● "Up For Grabs: Line Forms For Hart Job," by Pat Murphy. Detroit News, June 6, 1975. About 20 Democrats are considered possible rivals for the Democratic nomination to succeed retiring Sen. Philip A. Hart (D) in 1976. Since Gov. William Milliken (R) and Federal Trade Commission Chairman Lewis A. Engman have both taken themselves out of the race, the top Republican contenders are progressive U.S. Reps. Marlin L. Esch, 47 and Philip E. Ruppe, 48, both of whom survived tough reelection races in 1974. Businessman Deane Baker has been an undeclared GOP candidate for some time; former Lt. Gov. James H. Brickley and U.S. Rep. Garry D. Brown are also considered Republican possibilities. Hart's retirement announcement was accompanied by considerable praise for the Democratic incumbent as a gentle, unassuming, and forthright liberal. U.S. Rep. William D. Ford (D) has said he would like to get Hart to change his mind, but Ford is considering seeking the Democratic nomination. Other top possibilities include U.S. Reps. Donald W. Riegle, Jr., James G. O'Hara, and Richard F. VanderVeen, who won Gerald Ford's old House seat. Riegle has long had his eye on a Senate berth, but he may face stiff competition from Atty. Gen. Frank J. Kelley, who unsuccessfully challenged Sen. Robert Griffin (R) in 1972.

● "Gov. Loses GOP Clout," by Tom Ferriter. Concord (N.H.) Monitor, June 3, 1975. "Gov. Meldrim Thomson's rebellion against President Ford and the national Republican Party has cost him a considerable portion of the clout he once enjoyed in Republican circles in Washington. Only last week, for example, Thomson failed in his efforts to block a federal grant to a North Country economic development project which he had warned would lead New Hampshire down 'the pink primrose path of socialism.'" Ford Administration officials have apparently learned that the New Hampshire governor will never be satisfied with the incumbent President and therefore need not be placated. Therefore, a \$150,000 grant was made to stimulate business growth in adjoining northern Vermont and New Hampshire. The Ford Administration was apparently listening to the less strident voices of Sen. Robert Stafford (R-Vt.) and U.S. Rep. James Cleveland (R-N.H.), both of whom solidly backed the project.

● "The Week Abe Beame Destroyed Himself," by Ken Auletta. Village Voice, June 9, 1975. Nobody blames all of New York City's gargantuan problems on Mayor Abraham Beame, but Beame (D), but Beame has been blaming the city's problems on just about everyone else who isn't the current mayor. Referring to one Beame press conference in early June, Auletta said, "Though outwardly calm, Beame behaved like a cornered cat, leaping at the throats of banks, Republicans, and senators, clawing and blaming them for 'an atmosphere of doubt and uncertainty about New York's securities.'" The atmosphere of doubt and uncertainty about New York's securities is created by the city's spending policies, not the banks, as Beame knew and knows. But, as Auletta concludes, Beame has evaded that reality in his public statements. "In reality, the central issue should be whether city leaders are telling its

citizens the truth and whether they have a long-range strategy to restore the city to fiscal health by adjusting expenditures to revenues," writes Auletta. But it's easier to lambast Republican legislators and banks. Such statements don't need to be balanced the way budgets do.

POLITICS: INDIANA

THE PRACTICE OF POLITICS AND MEDICINE

by Thomas A. Sargent

Indianapolis Mayor Richard Lugar(R) is not seeking reelection this year, but his political future may hang on his ability to elect former U.S.Rep. William H. Hudnut(R) as his successor. Hudnut was slated by the GOP organization for the mayoral post, but he faces a tough fall campaign from Robert V. Welch, a maverick businessman with virtually no political experience but a long civic record. The race is pegged as a close one.

If Hudnut loses, Lugar may well have opposition next year in the state's first Senate primary. Currently practicing law in Indianapolis, former Gov. Edgar Whitcomb(R) has indicated that he might challenge the more moderate Lugar if that happens. Many Republicans believe that Lugar deserves a crack at Sen. Vance Hartke(D) after Lugar's creditable showing against the stronger Indiana senator, Birch Bayh(D), in 1974. A weak showing this year by the previously impressive Marion County GOP organization could weaken the Lugar argument. It might also interest other candidates such as Lt.Gov. Robert Orr(R), a former Evansville businessman, and State Senate President Pro Tem Phillip Gutman of Fort Wayne.

Hartke is already running hard for the nomination but several opponents have surfaced within the Democratic organization, Prominent among the names mentioned are U.S.Rep. Lee Hamilton (D-9th), State House Speaker Phillip Bainbridge, and State Senate Minority Leader Robert Fair.

By contrast, Republican Gov. Otis Bowen is sufficiently popular that only Indiana Secretary of State Larry Conrad(D) has been seriously mentioned as an opponent. Bowen is unlikely to have any GOP opposition. Legislation passed this year provides for direct primary elections for party nominations for governor, lieutenant governor, and senator. Paradoxically, the nominations for secretary of state, state treasurer, and various court offices will still be subject to convention action---just as the other nominations have been in the past. In an effort to retain the influence of the party organization over the nominations, it is possible that the state GOP will "slate" candidates they wish to see nominated in the direct primary and lend organizational support to their candidacies. The slate would almost certainly be Bowen-Orr-Lugar. Thanks to a constitutional amendment passed in 1972, Bowen is the first governor since 1851 to be eligible for a second consecutive term. (The direct primary bill split the Republican state chairman, Thomas Milligan, and Bowen. The governor supported the bill while the chairman opposed it. While both have declared their complete confidence in the other, some party officials are concerned over this first public difference between the two.)

Although the Indiana legislature was split between a Republican Senate and a Democratic House, it attracted national press for passage of an act regulating malpractice suits within the state and controlling the amounts of money which could be awarded. The act provides for medical review panels to check all malpractice claims prior to judicial hearings and to make recommendations admissible as evidence in malpractice court cases. The panels will consist of three voting doctors and one non-voting lawyer. The act limits the amount receivable by any one patient to \$500,000 and the amount payable by any one "health care provider" to \$100,000.

However, in the event that a court might determine that a patient was in fact entitled to more than the limited amount from an individual health care provider, the state has established a Patient's Compensation Fund of up to \$15 million to finance any judgment above the limit. The fund is to be financed by a surcharge on all health care providers in the state. Lawyers' fees are limited to 15% of the amount recovered from the Patient's Compensation Fund. Finally, a Medical Malpractice Study Commission was established to review the entire matter of malpractice suits and the operation of the new act.

Inspired by threats of greatly increased malpractice insurance premiums, the new legislation created considerable controversy, largely between the lawyers who see themselves denied part of their livelihood and the doctors worried about the costs of insurance. The threat of doctors leaving the state and pressure from the politically powerful Indiana University Medical School and the insurance industry resulted in the new legislation. (Dr. Bowen is a graduate of the Indiana University Medical School.)

In Indiana, there is no insurance for politicians, malpractice or otherwise. Lugar will have to practice his profession carefully is he is to reach the Senate. ■

COMMENTARY: MIDEAST

PROSPECTS FOR MIDDLE EAST PEACE

by Charles H. Percy

Recent developments in the search for peace in the Middle East have renewed hopes that the Arab-Israeli conflict will be settled through compromise rather than confrontation. Only a few months ago, when the step-by-step negotiations between Israel and Egypt were suspended, it appeared that almost no chance existed for a peaceful settlement of differences between the Arabs and the Israelis. But a series of hopeful developments has reopened the dialogue between Israel and her Arab neighbors. The prospects for peace are good.

The most dramatic examples of this shift are the concessions made by both sides. Egypt reopened the Suez Canal with the suggestion that cargoes bound for Israel may pass freely. Israel pulled back its military forces in the Sinai. Syria agreed to a six-month extension of the UN presence on the Golan Heights.

Another hopeful sign is the spirit and substance of talks between President Ford and the leaders of Egypt and Israel. In Salzburg, President Ford and President Anwar Sadat agreed on the need to break the diplomatic stalemate in the Middle East. In Washington, President Ford and Prime Minister Yitzhak Rabin emphasized the need to continue the dialogue in search of peace. These are hopeful developments that signal a revival of diplomacy and an end to the disappointing and dangerous stalemate of the last few months. But the road to peace is perilous. In this period of renewed hope, we must remember that a just and lasting peace will be achieved only through a full acceptance of certain realities by both the Arabs and the Israelis.

Acceptance of these realities must be followed by concessions. This is the essence of diplomacy. In any negotiation, adversaries must offer something in order to receive something. It will not be easy for either the Arabs or the Israelis to make major concessions, but the alternative is an endless stalemate that could easily flash into war. During a 12-nation visit to the Middle East earlier this year, I sensed a deep desire for peace on the part of heads of state and government leaders in the Arab nations and Israel. But there was little agreement on how best to achieve peace; nor was there agreement on the eventual shape of a peace agreement. I am as convinced today as I was six months ago that a just and lasting peace can be achieved if both sides face the difficult diplomatic challenge ahead with a spirit of sincerity and good will.

For the Arabs, the first step in this difficult process must be a realization of the Israelis' deep fear for their safety and even their existence. The Nazi holocaust is a vivid memory for the Israelis, many of whom survived the horror of the concentration camps and lived to help settle their homeland a quarter century ago. For years, President Nasser of Egypt threatened to drive the Israelis into the sea. And most recently, the Israelis have lived with the constant threat of Arab terrorist raids and the PLO's "dream" of replacing the Jewish nation with a secular Palestinian state of Moslems, Jews and Christians.

Public recognition of Israel's right to exist by leaders throughout the Arab world would be a major step toward peace. Such recognition would be consistent with UN Security Council Resolution 242, which called for Israeli withdrawals and upheld the right to exist for every nation in the Middle East. The recent statement by King Khalid of Saudi Arabia, offering acceptance of Israel's right to exist in exchange for total withdrawal from Arab lands and the creation of a Palestinian state, was a positive step. The King's statement should encourage other Arab leaders to make similar offers to Israel.

A basic ingredient in any Middle East peace settlement will be agreement on creation of a Palestinian state combining the West Bank and Gaza strip. Arab heads of state say that such a state would be moderate and would not harbor designs on Israel. But it is difficult for Israelis to believe that a Palestinian state under the leadership of Yasir Arafat would be moderate.

There is a consensus within the Arab world that Arafat is less extreme than many of his followers or potential successors. But the Israelis point to savage terrorist raids by the Palestine Liberation Organization within their borders as evidence to the contrary. Arab leaders could do a great deal for their credibility with the Israelis and the world if they denounced PLO terrorist activities. The climate for peace would also be improved if the Arab world ended its economic warfare against Israel. A basic step would be an end to the Arab boycott of Israeli goods and companies doing business with Israel.

The Arabs could take a number of other steps to clear the path to peace. These include allowing free migration to Israel of Jews living in Arab countries, the beginning of cultural and

non-military technical exchanges with Israel, and normalizing relations with Israel, much as the United States has done with the People's Republic of China. These actions would be in the best interest of the Arab world as well as the interest of peace.

For the Israelis, a major step toward peace would be a realization that their desire for guaranteed national security is unrealistic and impossible. No nations, not even the United States and the Soviet Union, enjoy such a guarantee. The Israelis also should realize that time is on the side of the Arabs in the no-war, no peace stalemate in the Middle East. The Arabs are more united than before. Their population vastly outnumbers Israel's. And the new-found wealth of the Arab nations makes them easily capable of arming themselves with the most modern and sophisticated weapons available. The Israelis have either won or held their own in past wars with the Arabs, but each future war would certainly pit Israel against a stronger, more united enemy.

Leaders throughout the Arab world emphasize that there can be no lasting peace until a permanent homeland is created for the displaced Palestinians. Certainly the Israelis should understand this deep desire, because they themselves waged a long and difficult struggle before they realized their own dream of a homeland.

I do not believe that there will be any possibility for peace until the Israelis agree to talk with the leaders of the Palestinian liberation movement. Given the PLO's record of terrorism, this will be an especially difficult move for the Israelis. But no nation can select its adversaries. Arab leaders have moved the PLO to center stage in the debate over creation of a Palestinian homeland, and they must be reckoned with by the Israelis.

Reality dictates that any meaningful moves toward peace require negotiations that will be mutually beneficial to both parties involved. This principle underlies the need for Israel to realize the absolute necessity of withdrawal to essentially the pre-1967 borders. There will be no future security for Israel without such a move. When I returned from the Middle East recently, I read a statement by the late David Ben-Gurion, the first prime minister of modern Israel. His thoughts matched my conclusions on the prospects for peace between the Arabs and the Israelis and the nature of security: "As for security, militarily defensible borders, while desirable, cannot by themselves guarantee our future. Some sections of our people still have not learned this lesson. Real peace with our Arab neighbors; mutual respect and even affection; perhaps an Arab-Israeli alliance; in any case a settlement they will not reluctantly agree to live with, but will enthusiastically welcome from their hearts as essential for our common future---that is our only true security."

I am deeply committed to Israel's desire to live peacefully within secure borders. It is because of this commitment that I have urged both Arabs and Israelis to take meaningful steps to help forge a lasting peace. The United States should continue its efforts to help bring peace in the Middle East. President Ford and Secretary of State Henry Kissinger have made a great contribution to the search for peace and they deserve high praise for their efforts. But we must face a number of tough policy questions regarding our role in the Middle East. For example, we should question the advisability of directly or indirectly arming both sides in the conflict. And we should continually review our policy to assure that it is fair to all the parties involved.

Both the Arabs and the Israelis must guard against over-reliance on the United States as the middleman in the peace negotiations. We can continue to play a useful role in bringing the adversaries together, but ultimately leaders on both sides will have to resolve their differences in face-to-face negotiations. The weeks and months ahead will be crucial in the search for peace in the Middle East. The good will and faith of both the Arabs and Israelis will determine if we can continue the dialogue in a spirit of conciliation and compromise. ■

Contributor Notes: Sen. Charles H. Percy (R-Ill.) is a member of the Senate Foreign Relations Committee. Thomas A. Sargent is a FORUM correspondent in Indiana and professor at Ball State University. RIPON JOURNAL is coming soon. Check your mail at the beginning of August. It will be mind-conditioning.

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